



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: FUKUNAGA=3

In re Application of:

Conf. No.: 2108

Akira FUKUNAGA et al.

Art Unit: 1725

Appln. No.: 09/811,581

Examiner: L. R. EDMONDSON

Filed: March 20, 2001

Washington, D.C.

For: COMPOSITE METALLIC ULTRAFINE
PARTICLES AND PROCESS FOR
PRODUCING THE SAME

November 17, 2003

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated October 29, 2003, of the Primary Examiner. The claim appealed is claim 60.

The item(s) checked below are appropriate:

Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

XXX \$330.00

\$165.00 (small entity)

Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity Response Filed Within

[]	First	-	\$ 55.00
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[] Second - \$210.00

[]	Third	-	\$475.00
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[] Fourth - \$740.00

month after time period set

[] Less fees (\$) already paid for months extension of time on .

Other Than Small Entity Response Filed Within

[]	First	-	\$ 110.00
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[XX] Second - \$ 420.00

Third	-	\$ 950.00
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[] Fourth - \$1480.00

month after time period set

A check in the amount of \$_____ is attached. (Check No. _____)

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 750.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

11/18/2003 HGEBREM1 00000113 09811581

01 FC:1252
02 FC:1401

420.00 OP
330.00 OP

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

A handwritten signature in black ink, appearing to read "Anne M. Kornbau", is written over a horizontal line.

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